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*Attorney for Plaintiffs Jacqueline E. Martinez  
Jacqueline Martinez and  
David Austin*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**JACQUELINE E. MARTINEZ,  
JACQUELINE MARTINEZ,  
DAVID AUSTIN**

**Plaintiffs,**

**v.**

**CONSUMER RECOVERY  
ASSOCIATES, LLC**

**Defendant.**

**Civil Action No.**

**EDCV11-0880**

**COMPLAINT FOR VIOLATIONS OF  
FAIR DEBT COLLECTION PRACTICES  
ACT**

**DEMAND FOR JURY TRIAL**

**VAP SR**

**PRELIMINARY STATEMENT**

1. This is an action for damages brought by individual consumers for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereafter the "FDCPA"), and other common law claims. These laws prohibit debt collectors from engaging in abusive, deceptive, and unfair collection practices.



1           10. In or around June 2010, Defendant contacted Plaintiff JEM wherein  
2 Defendant's representative left JEM multiple voicemails to coerce payment of the  
3 debt with the intent to annoy, abuse, or harass.

4           11. In response to the voicemails left by Defendant, on or about June 7,  
5 2010, JEM contacted Defendant wherein Defendant's representative stated JM II's  
6 personal information as the identifying information associated with the debt. JEM  
7 advised Defendant's representative that this did not match JEM's identifying  
8 information and advised Defendant that this debt belonged to her mother.  
9 Defendant's representative then misrepresented that JM II committed fraud against  
10 JEM and threatened to press charges against JM II. Defendant's representative  
11 further falsely threatened to garnish JEM's wages, report JEM to the IRS, and  
12 misrepresented that JEM had 72 hours to make payment or further action would be  
13 taken.

14           12. Notwithstanding the above, in or around June 2010, Defendant  
15 contacted JM II to coerce payment of the debt with the intent to annoy, abuse, or  
16 harass wherein Defendant's representative misrepresented that JM II committed  
17 identity theft against her daughter and falsely accused JM II of committing fraud.

18           13. Notwithstanding the above, in or around July 2010, Defendant  
19 contacted JM II's father and disclosed the debt to coerce payment of the debt with  
20 the intent to annoy, abuse, or harass.

21           14. Notwithstanding the above, Defendant continued to contact JEM  
22 multiple times per week throughout the months of July and August 2010 to coerce  
23 payment of the debt with the intent to annoy, abuse, or harass such persons  
24 contacted.

25           15. On or about January 17, 2011, Defendant left multiple voicemails for  
26 DA in an attempt to collect a debt owed by "Eva Johnson."  
27

1           16. In response to Defendant's voicemails, DA contacted Defendant and  
2 advised that he did not know an "Eva Johnson" and that she could not be reached  
3 at his telephone number. Plaintiff further requested that Defendant cease all  
4 contact with him.

5           17. Notwithstanding the above, on or about January 18, 2011, Defendant  
6 again contacted DA on two separate occasions in an attempt to collect a debt owed  
7 by "Eva Johnson."

8           18. Notwithstanding the above, on or about January 19, 2011, Defendant  
9 again contacted DA in an attempt to collect a debt owed by "Eva Johnson."

10          19. Defendant acted in a false, deceptive, misleading and unfair manner  
11 by communicating with any other person than the debtor for the purpose of  
12 acquiring anything other than the location information of the debtor.

13          20. The Defendant acted in a false, deceptive, misleading and unfair  
14 manner by communicating with any person other than the consumer and disclosing  
15 the debt to the non-debtor.

16          21. The Defendant acted in a false, deceptive, misleading and unfair  
17 manner when communicating with any person other than the consumer on more  
18 than one occasion.

19          22. The Defendant acted in a false, deceptive, misleading and unfair  
20 manner when communicating with any person other than the debtor, without the  
21 debtor's consent.

22          23. Defendant acted in a false, deceptive, misleading and unfair manner  
23 by engaging in conduct the natural consequence of which is to harass, oppress, or  
24 abuse any person in connection with the collection of a debt.

25          24. Defendant acted in a false, deceptive, misleading, and unfair manner  
26 by causing a telephone to ring or engaging any person in telephone conversation  
27

1 repeatedly or continuously with intent to annoy, abuse, or harass any person at the  
2 called number.

3 25. Defendant acted in a false, deceptive, misleading and unfair manner  
4 by falsely representing the amount, character or legal status of the debt.

5 26. Defendant acted in a false, deceptive, misleading and unfair manner  
6 by falsely representing that nonpayment of any debt will result in the seizure,  
7 garnishment, attachment or sale of any property or wages unless such action is  
8 lawful and the debt collector intends to take such action.

9 27. The Defendant acted in a false, deceptive, misleading and unfair  
10 manner by threatening to take action that it did not intend to take, for the purpose  
11 of coercing Plaintiffs to pay the debt.

12 28. Defendant acted in a false, deceptive, misleading and unfair manner  
13 by falsely representing or implying that the consumer committed any crime or  
14 other conduct in order to disgrace the consumer.

15 29. The Defendant acted in a false, deceptive, misleading and unfair  
16 manner when they engaged in conduct the natural consequence of which is to  
17 harass, oppress, or abuse such person in connection with the collection of a debt.

18 30. Defendant knew or should have known that their actions violated the  
19 FDCPA. Additionally, Defendant could have taken the steps necessary to bring its  
20 agent's actions within compliance of these statutes, but neglected to do so and  
21 failed to adequately review those actions to insure compliance with said laws.

22 31. At all times pertinent hereto, Defendant was acting by and through its  
23 agents, servants and/or employees, who were acting within the scope and course of  
24 their employment, and under the direct supervision and control of the Defendant  
25 herein.

26 32. At all times pertinent hereto, the conduct of Defendant as well as its  
27 agents, servants and/or employees, was malicious, intentional, willful, reckless,

1 negligent and in wanton disregard for federal and state law and the rights of the  
2 Plaintiffs herein.

3 33. As a result of Defendant's conduct, Plaintiffs have sustained actual  
4 damages, including, but not limited to injury to Plaintiffs' reputation, invasion of  
5 privacy, damage to Plaintiffs' credit, out-of-pocket expenses, emotional and mental  
6 pain and anguish, embarrassment, humiliation, damage to reputation and pecuniary  
7 loss and they will continue to suffer same for an indefinite time in the future, all to  
8 their great detriment and loss.

9 **COUNT I – VIOLATIONS OF THE FDCPA**

10 34. Plaintiffs incorporate the foregoing paragraphs as though the same  
11 were set forth at length herein.

12 35. Defendant is a "debt collector" as defined by 15 U.S.C. § 1692a(6) of  
13 the FDCPA.

14 36. Plaintiffs are "consumers" as defined by 15 U.S.C. § 1692a(3) of the  
15 FDCPA.

16 37. The above contacts between Defendant and Plaintiffs were  
17 "communications" relating to a "debt" as defined by 15 U.S.C. § 1692a(2) and  
18 1692a(5) of the FDCPA.

19 38. Defendant violated the FDCPA through its pattern and practice of  
20 disclosing debts to third parties and their continued practice of contacting such  
21 non-debtors after notice that Defendant had reached a non-debtor in an attempt to  
22 coerce payment of said debts. Defendant's violations include, but are not limited  
23 to, violations of 15 U.S.C. §§ 1692b(1), 1692b(2), 1692b(3), 1692c(b), 1692d,  
24 1692d(5), 1692e(2)(A), 1692e(4), 1692e(5), 1692e(7), 1692e(10), and 1692f as  
25 evidenced by the following conduct:

26 (a) communicating with persons other than the debtor about  
27 information other than debtor's location;

- 1 (b) Disclosing the debt to persons other than the debtor;
- 2 (c) Communicating with persons other than the debtor on more
- 3 than one occasion;
- 4 (d) Communicating with persons other than the debtor without the
- 5 debtor's consent;
- 6 (e) Engaging in conduct the natural consequence of which is to
- 7 harass, oppress or abuse any person in connection with the collection of a
- 8 debt;
- 9 (f) Causing a telephone to ring or engaging any person in
- 10 telephone conversation repeatedly or continuously with the intent to annoy,
- 11 abuse, or harass any person at the called number;
- 12 (g) Falsely representing the amount, character or legal status of the
- 13 debt;
- 14 (h) Falsely representing that nonpayment of any debt will result in
- 15 the seizure, garnishment, attachment or sale of any property or wages unless
- 16 such action is lawful and the debt collector intends to take such action;
- 17 (i) Falsely threatening to take legal action that cannot or is not
- 18 intended to be taken;
- 19 (j) Falsely representing or implying that the consumer committed
- 20 any crime or other conduct in order to disgrace the consumer; and
- 21 (k) Otherwise using false, deceptive, misleading and unfair or
- 22 unconscionable means to collect any debt.

23 39. Defendant's acts as described above were done with malicious,

24 intentional, willful, reckless, wanton and negligent disregard for Plaintiffs' rights

25 under the law and with the purpose of coercing Plaintiffs to pay the alleged debt.

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1           40. As a result of the above violations of the FDCPA, Defendant is liable  
2 to Plaintiffs in the sum of Plaintiffs' statutory damages, actual damages and  
3 attorney's fees and costs.

4                           **COUNT II – INVASION OF PRIVACY**

5           41. Plaintiffs incorporate the foregoing paragraphs as though the same  
6 were set forth at length herein.

7           42. Defendant's conduct, including but not limited to continuing to  
8 contact Plaintiffs in an attempt to collect a debt that they did not owe, despite notice  
9 that it was contacting non-debtors, constitutes an invasion of privacy.

10          43. The conduct of Defendant was a direct and proximate cause, as well  
11 as a substantial factor, in bringing about the serious injuries, damages and harm to  
12 Plaintiffs that are outlined more fully above and, as a result, Defendant is liable to  
13 compensate the Plaintiffs for the full amount of actual, compensatory and punitive  
14 damages, as well as such other relief, permitted under the law.

15  
16                           **JURY TRIAL DEMAND**

17          44. Plaintiffs demand trial by jury on all issues so triable.

18  
19          WHEREFORE, Plaintiffs respectfully pray that relief be granted as follows:

- 20  
21                           (a) Actual damages;  
22                           (b) Statutory damages;  
23                           (c) Punitive damages;  
24                           (d) Costs and reasonable attorneys' fees; and  
25                           (e) Such other and further relief as may be just and proper.  
26  
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1 Respectfully Submitted,  
2 TATAR LAW FIRM, APC  
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4  
5 BY: 

6 Stephanie Tatar

7 Attorney for Plaintiffs

8 DATE: June 3, 2011  
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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Virginia A. Phillips and the assigned discovery Magistrate Judge is Sheri Pym.

The case number on all documents filed with the Court should read as follows:

**EDCV11- 880 VAP (SPx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☐ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☒ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

## Name &amp; Address:

Stephanie R. Tatar (237792)

Tatar Law Firm, APC

3500 West Olive Ave., Suite 300

Burbank, CA 91505

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIAJacqueline E. Martinez; Jacqueline Martinez; and  
David Austin

PLAINTIFF(S)

v.

Consumer Recovery Associates, LLC

DEFENDANT(S).

CASE NUMBER

EDCV11-0880 VAP SLX

SUMMONS

TO: DEFENDANT(S): Consumer Recovery Associates, LLC

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Stephanie R. Tatar, whose address is 3500 West Olive Ave., Suite 300, Burbank, CA 91505. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

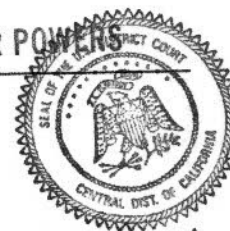
Dated: 6-6-11

By: \_\_\_\_\_

CHRISTOPHER POWERS

Deputy Clerk

(Seal of the Court)



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].



# **UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA** **CIVIL COVER SHEET**

**I (a) PLAINTIFFS** (Check box if you are representing yourself ☐)  
Jacqueline E. Martinez; Jacqueline Martinez; and David Austin

**DEFENDANTS**  
Consumer Recovery Associates, LLC

**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Stephanie R. Tatar, Tatar Law Firm, APC  
3500 West Olive Avenue, Suite 300  
Burbank, CA 91505 (323) 744-1146

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** - For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. ORIGIN** (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:** **JURY DEMAND:** ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION under F.R.C.P. 23:** ☐ Yes ☒ No

☒ **MONEY DEMANDED IN COMPLAINT: \$**

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS PERSONAL INJURY	TORTS PERSONAL PROPERTY	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 530 General Habeas Corpus	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE / PENALTY</b>	<b>PROPERTY RIGHTS</b>
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	<b>SOCIAL SECURITY</b>
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	<b>REAL PROPERTY</b>	<b>IMMIGRATION</b>	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923) (405(g))
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety /Health	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 465 Other Immigration Actions			<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				

**EDCV11-0880**

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

**AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.**

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.  
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles Riverside	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.  
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Virginia

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles Riverside	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note:** In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER): \_\_\_\_\_ Date 6-3-11

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))